

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAN RICHARD DICKEY,

Defendant.

No. 4:14-CR-6029-EFS

PRELIMINARY ORDER OF FORFEITURE

Before the Court, without oral argument, is the United States Attorney's Office's (USAO) Motion for Entry of a Preliminary Order of Forfeiture, ECF No. 34. Having reviewed the pleadings and the file in this matter, the Court is fully informed and grants the motions.

Accordingly, **IT IS HEREBY ORDERED:**

1. The USAO's Motion for Entry of a Preliminary Order of Forfeiture, **ECF No. 34**, is **GRANTED**.

2. As the result of the guilty plea to Count 2 of the Indictment for which the USAO sought forfeiture pursuant to 18 U.S.C. § 2253, Defendant Dan Richard Dickey shall forfeit to the United States any property, real or personal, used or intended to be used to commit or promote the commission of the plead-to 18 U.S.C. § 2252A(a)(2) offense or any property traceable to such property.

1 **3.** Based on the Defendant's plea agreement, the following assets
2 are subject to forfeiture pursuant to 18 U.S.C. § 2253, and
3 the United States has established the requisite nexus between
4 such assets described below, and such offense:

5 1) Sony Vaio Laptop Computer, Serial Number PCG7173L;

6 2) HP computer, Serial Number Mxx9170FFM; and

7 3) Two Geek Squad 8GB Thumb Drives;

8 seized from Defendant's residence, pursuant to a search
9 warrant, on November 27, 2012.

10 **4.** Upon the entry of this Order and pursuant to Rule G(4)(a)(i)
11 of the Supplemental Rules for Admiralty or Maritime Claims
12 and Asset Forfeiture Actions, authorized under 21 U.S.C. §
13 853(n)(1), as incorporated by 18 U.S.C. § 2253, and Federal
14 Rule of Criminal Procedure 32.2(b)(6)(C), the United States
15 is not required to publish notice of this Order because the
16 forfeitable property is worth less than \$1,000.00. Defendant
17 stipulated in his plea agreement that he is the sole owner
18 of the assets and that no one else has an interest in the
19 assets; however, the Federal Bureau of Investigation has
20 identified a potential claimant, therefore, the United States
21 is to provide direct notice of this Order to that potential
22 claimant.

23 **5.** The United States shall have clear title to the above-listed
24 property following the Court's disposition of all third-
25 party interests, or, if none, following the expiration of
26 the period provided in Federal Rule of Criminal Procedure

32.2(c)(2), Rule G(5), and 21 U.S.C. § 853(n), as incorporated
by 18 U.S.C. § 2253, for the filing of third-party petitions.

6. Pursuant to Federal Rule of Criminal Procedure 32.2(b)(4)(A)
and (B), this Preliminary Order of Forfeiture is final as to
the Defendant at the time of sentencing, and is made part of
the sentence and included in the judgment.

7. The Court shall retain jurisdiction to enforce this Order,
and to amend it as necessary, pursuant to Federal Rule of
Criminal Procedure 32.2(e).

IT IS SO ORDERED. The Clerk's Office is directed to enter this
Order and provide copies to all counsel and the U.S. Probation Office.

DATED this 12th day of May 2015.

s/Edward F. Shea
EDWARD F. SHEA
Senior United States District Judge